

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

BENITO BOWIE, JR.,)	
)	
Plaintiff,)	
)	
vs.)	No. CIV-07-886-C
)	
LT. WARD and OFFICER BROCHARD,)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Supplemental Report and Recommendation entered by United States Magistrate Judge Valerie K. Couch on January 28, 2010. The court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed. Therefore, the Court adopts the Supplemental Report and Recommendation in its entirety.

Accordingly, the Supplemental Report and Recommendation of the Magistrate Judge (Dkt. No. 58) is adopted. Defendant Ward's Motion for Summary Judgment (Dkt. No. 51) and Plaintiff's Motion for Summary Judgment (Dkt. No. 55) are denied. The remaining claim against Defendant Bouchard is dismissed for lack of service of process. Plaintiff's Motion to Appoint Counsel (Dkt. No. 56) is denied without prejudice.

This matter is recommitted to Judge Couch for pretrial management, consistent with the original Order of Referral. A separate judgment will issue at the close of this case.

IT IS SO ORDERED this 22nd day of February, 2010.



ROBIN J. CAUTHRON
United States District Judge